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IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 7488 of 2007

Smt.Laj Lakhiram Vigh & ors. .. Petitioners

versus

M/s.Maitri Co-operative Housing

& ors. .. Respondents

...

Mr.Mukesh Ahooja for the petitioners.

Mr.A.H.Palekar, AGP for respondent nos.13 and 14.

CORAM : S.B. MHASE AND

D.G.KARNIK, JJ

DATED : 9th October 2007

P.C.:

1. In our view, the petition is totally misconceived. Apart from the fact that there are no final prayers in the writ petition, we notice that the main grievance of the petitioner is that the agreement entered into by the society on 27th May 2006, (Exhibit-C to the petition) is illegal and its operation should be stayed. Since the contractual rights are involved, petitioner has alternate remedy under section 91 of the Co-operative Societies Act

and/or a suit as may be appropriate.

2. In the circumstances, we decline to entertain the petition. Petition is rejected summarily.

(D.G. KARNIK, J) (S.B. MHASE, J)